

## Item W05-01 Response Form

**Title:** **Electronic Submission of Documents to Chair of Judicial Council** (adopt rule 1511.5 of the California Rules of Court)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **only if modified**
- ☐ **Do not agree** with proposed changes

Comments: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Please **write** or **fax** or **respond using the Internet** to:

**Address:** Ms. Romunda Price,  
Judicial Council, 455 Golden Gate Avenue,  
San Francisco, CA 94102  
**Fax:** (415) 865-7664      **Attention:** Romunda Price  
**Internet:** [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment)

<b>DEADLINE FOR COMMENT:</b> <b>5:00 P.M Friday, February 4, 2005</b>
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Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

<i>Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee. All comments will become part of the public record of the council's action.</i>
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Title	<b>Electronic Submission of Documents to Chair of Judicial Council (adopt rule 1511.5 of the California Rules of Court)</b>
Summary	Proposed rule 1511.5 would allow a party to electronically submit documents to the Chair of the Judicial Council that are required to be submitted in connection with complex cases that are coordinated or sought to be coordinated under Code of Civil Procedures section 404 and rule 1521.
Source	Civil and Small Claims Advisory Committee
Staff	Susan Goins, 415-865-7990, susan.goins@jud.ca.gov
Discussion	<p>California Rules of Court, rule 1511 lists various documents, such as a petition for coordination, application for a stay order, and a stay order that must be submitted to the Chair of the Judicial Council (Chair) in connection with complex cases that are coordinated or sought to be coordinated under Code of Civil Procedure section 404 and rule 1521. There is no rule allowing these documents to be submitted electronically.</p> <p>Proposed rule 1511.5 would allow a party to electronically submit documents that are required to be submitted to the Chair. The proposed rule would reduce the amount of paper submitted, simplify organizing and tracking documents, and reduce delay in receiving documents. The rule does not address electronic filing or service of documents because these actions are governed by rule 2050 et seq. and documents in coordination proceedings are submitted to, rather than filed with, the Chair.</p> <p>The proposed rule addresses the responsibilities of a party submitting documents electronically, the format of documents submitted electronically, the means of signing under penalty of perjury, and the effect of a signature on a document submitted electronically. These provisions are modeled on the electronic filing and service rules' provisions in rule 2050 et seq.</p>
Attachment	

Rule 1511.5 of the California Rules of Court is adopted, effective July 1, 2005, to read:

**Rule 1511.5. Electronic submission of documents to Chair of Judicial Council**

**(a) [Documents that may be submitted electronically]** Any paper listed in rule 1511(a) may be submitted electronically to <[coordination@jud.ca.gov](mailto:coordination@jud.ca.gov)>.

**(b) [Responsibilities of party submitting documents electronically]** A party submitting a document electronically must:

(1) Take all reasonable steps to ensure that the submission does not contain computer code, including viruses, that might be harmful to the Judicial Council's electronic system and to other users of that system; and

(2) Furnish one or more electronic notification addresses and immediately provide any change to his or her electronic notification addresses.

**(c) [Format of documents to be submitted electronically]** A document that is submitted electronically must meet the following requirements:

(1) The software for creating and reading the document must be in the public domain or generally available at a reasonable cost; and

(2) The printing of documents must not result in the loss of document text, format, or appearance.

**(d) [Signature on documents under penalty of perjury]**

(1) When a document to be submitted electronically requires a signature under penalty of perjury, the document is deemed signed by the declarant if, before submission, the declarant has signed a printed form of the document.

(2) By electronically submitting the document, the party submitting it indicates that he or she has complied with subdivision (d)(1) of this rule and that the original, signed document is available for review and copying at the request of the court or any party.

(3) At any time after the document is submitted, any other party may serve a demand for production of the original signed document. The demand must be served on all other parties but need not be filed with the court.

1           (4) Within five days of service of the demand, the party on whom the demand  
2           is made must make the original signed document available for review and  
3           copying by all other parties.  
4

5           (e) [Signature on documents not under penalty of perjury] If a document does  
6           not require a signature under penalty of perjury, the document is deemed  
7           signed by the party if the document is submitted electronically.  
8

9           (f) [Digital signature] A party is not required to use a digital signature on an  
10          electronically submitted document.